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2/9/03

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,008-W)

In re Application of:)
)
COPELAND, et. al)
)
Serial No.: 09/931,513 —)
)
Filed: February 7, 2003)
)
For: Automated Biological)
Reaction Apparatus)

Group Art Unit: 1743

Examiner: Patricia K. Bex

RECEIVED
FEB 14 2003
TC 1700

Commissioner for Patents
Washington, DC 20231

REPLY TO RESTRICTION REQUIREMENT

Dear Sir:

This is a Reply to the January 10, 2003 Restriction Requirement issued for the above-captioned U.S. Patent Application. In the Restriction Requirement, the Examiner required restriction of application claims to one of the two distinct inventions.

The Applicant's elect to proceed with the invention set forth in claim Group I – namely methods of staining a biological specimen classified in class 435, subclass 40.5 of claims 72-73, 77, 80-85, 87, 89-91 and 98-99. The Applicants hereby withdraw claims 76, 86, and 94 from consideration.

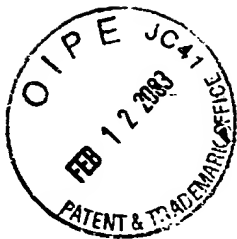
This election is made without prejudice and with traverse.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: February 7, 2003

By: C. Blair Hughes
A. Blair Hughes
Registration No. 32,901
312-913-2123

1743



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 97,008-W)

In the Application of:

Copeland, et al.

Serial No.: 09/931,513

Filing Date: August 16, 2001

For: Automated Biological Reaction Apparatus

Examiner: Not Assigned

Group Art Unit: 1743

Confirmation No.: 5062

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

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TC 1700

In regard to the above identified application,

1. We are transmitting herewith the attached:

- a) Reply to Restriction Requirement
- b) Return Receipt Postcard

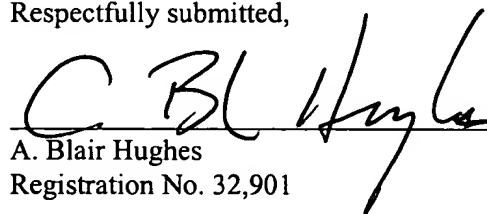
2. With respect to fees:

- a) No additional fee is required.
- b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.

3. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231 on February 7, 2003.

Respectfully submitted,

Date: February 7, 2003


A. Blair Hughes
Registration No. 32,901